

## **Minneapolis City Planning Department Report**

Rezoning, 2 Conditional Use Permits, 2 Setback Variances, Parking Variance and Site Plan Review  
BZZ-1093

**Date:** March 31, 2003

**Applicant:** Sherman Associates, Inc.

**Address of Property:** 2901, 05, 09, 13, 17, 19, 27 Bloomington Avenue South

**Project Name:** East Phillips Commons Apartments

**Date Application Deemed Complete:** February 28, 2003

**End of 60-Day Decision Period:** April 29, 2003

**End of 120-Day Decision Period:** Not applicable

**Applicant has Waived 60-Day Requirement:** No

**Contact Person and Phone:** Loren Brueggemann, (612) 332-3000

**Planning Staff and Phone:** Hilary Watson, (612) 673-2639

**Ward:** 6      **Neighborhood Organization:** East Phillips Improvement Coalition

**Existing Zoning:** R2B      **Proposed Zoning:** OR2

**Proposed Use:** mixed-use building including 30 apartments, a child care center and two neighborhood serving retail sales and services uses

### **Concurrent Review:**

**Rezoning:** of 2901, 05, 09, 13, 17, 19, 27 Bloomington Avenue South from R2B to OR2.

**Conditional Use Permit:** to allow 30 dwelling units as part of a mixed-use development.

**Conditional Use Permit:** to allow two neighborhood serving retail sales and services uses as part of a mixed-use development.

**Variance:** to reduce the front yard setback along Bloomington Avenue South from the required 15 feet to 5 feet.

**Variance:** to reduce the corner side yard setback along East 29<sup>th</sup> Street from the required 12 feet to 3 feet.

**Variance:** to reduce the required number of off-street parking spaces for a mixed-use development from 39 to 31.

### **Major Site Plan Review**

**Previous Actions:** None that are relevant to the proposed development.

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**Background:** The proposed development is located in the East Phillips neighborhood. The development site is located on the southeast corner of the intersection of Bloomington Avenue South and East 29<sup>th</sup> Street. Currently, there are six residential buildings located on the site and one vacant lot. The applicant is in the process of demolishing the residential buildings. Located on the same block as the proposed development are several residential buildings, commercial businesses along Lake Street and a parking lot.

The development involves the construction of a three-story, mixed-use building including 30 apartments, a child care center and two neighborhood serving retail sales and services uses with one level of below-ground parking. In addition there is an outdoor play area for the child care center and an outdoor recreation area for the tenants of the building both located towards the back of the development.

The site is currently zoned R2B. In order to construct a mixed-use building including 30 apartments, a child care center and two neighborhood serving retail sales and services uses with one level of below-ground parking on the site the site needs to be rezoned to the OR2 zoning district. Residential buildings of five or more units also require a Conditional Use Permit. In addition, two setback variances, a parking reduction variance and major site plan review are needed.

It should be noted that the applicant is in the process of development a plan for a majority of the block bounded by Bloomington Avenue South, East 29<sup>th</sup> Street, 16<sup>th</sup> Avenue South and East Lake Street. The proposed plan includes two live-work units, thirteen two-story townhouses, six three-story townhouses and a three-story apartment building with eighteen units. Please see the master plan that is included in the report.

**Neighborhood Review:** The applicant notified the East Phillips Improvement Coalition about the development by letter on Friday, January 24, 2003. Staff has not received a response from the neighborhood.

### **REZONING**

**Zoning Plate Number: 26**

**Legal Description:** Parcel 1: Lot 8, Block 4 Allan and Anderson's Addition to Minneapolis. Parcel 2: Lot 9, Block 4, Allan and Anderson's Addition to Minneapolis. Parcel 3: (a) Lot 10, Block 4 Allan and Anderson's Addition to Minneapolis, (b) Lot 11, Block 4 Allan and Anderson's Addition to Minneapolis, (c) Lot 13, Block 4, except the North 6 inches thereof, Allan and Anderson's Addition to Minneapolis. Parcel 4: Lot 12, Block 4 Allan and Anderson's Addition to Minneapolis. Parcel 5, The South 25 feet of Lot 14 and North 6 inches of Lot 13, Block 4 Allan and Anderson's Addition to Minneapolis

**Findings as Required by the Minneapolis Zoning Code for a Rezoning:**

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### **1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

According to the Land Use Policy Map, the area is designated as Low Density Residential. The area is also located in a designated Major Housing Site area and along a designated Community Corridor. According to the Housing Principles and Policies outlined in *The Minneapolis Plan*, the following apply to this proposal:

- Increase the variety of housing types (affordability, style, location) throughout the city, its communities and metro area, giving prospective buyers and renters greater choice in where they live.
- Increase the city's population and tax base by developing and supporting housing choices citywide through preservation of existing housing and new construction.
- Develop/provide tax and zoning incentives to developers for in-fill housing that is well-designed, serves several income levels, adds to the tax base and fits the urban environment.
- Encourage in-fill housing.

This proposal is consistent with the comprehensive plan.

### **2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

The amendment will allow the property owner to utilize the site for a mixed-use building including 30 apartments, a child care center and two neighborhood serving retail sales and services uses with one level of below-ground parking. The policy makers within the city have set a goal of creating a certain percentage of affordable housing units in the city. This development is providing a total of 30 dwelling units. Twenty-four of the units will be affordable at sixty percent of the metro medium income and six of the units will be affordable at thirty percent of the metro medium income. Allowing this project will aid the city in meeting its affordable housing numbers goal.

### **3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

The site is bordered by R2B zoning to the north, west and east and C1 zoning to the south. Adjacent uses include single and two-family dwellings, multiple-family dwellings, commercial uses located along Lake Street and the 29<sup>th</sup> Street Midtown Greenway directly to the north.

The proposed zoning district is compatible with the immediately surrounding area. The majority of the surrounding blocks are zoned R2B. However, there are a number of properties along Bloomington Avenue South with higher residential zoning classifications. In addition, there is a mixture of C1, C2 and C4 zoning along Lake Street and there are a handful of parcels located along the 29<sup>th</sup> Street Midtown Greenway that are zoned I1.

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### **4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

There are reasonable uses of the property permitted under the R2B zoning classification. The R2B zoning classification is a low-density residential district. Permitted uses in the R2B district include but are not limited to the following:

- single family dwellings
- two-family dwellings
- community residential facilities
- community gardens
- public parks
- religious institutions

### **5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.**

Under the 1963 Zoning Code, the area had zoning classifications similar to the current zoning classifications. Under the 1963 Zoning Code the subject site was zoned R2B. There are several housing developments either currently being built or in the pipeline to be built in the surrounding area.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the rezoning from R2B to OR2 for the properties located at 2901, 05, 09, 13, 17, 19, 27 Bloomington Avenue South.

### **CONDITIONAL USE PERMIT – for 30 dwelling units as part of a mixed-use development**

#### **Findings as Required by the Minneapolis Zoning Code:**

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

#### **1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The proposed development would add a mixed-use development including 30 apartments to a site that is currently occupied with housing that has been deemed unsuitable and is in the process of being demolished. The 30 apartment units will be rented. Thirty apartments with a child care center and two

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other commercial uses should not be detrimental to the public health, safety and general welfare in this medium-density zoning district.

### **2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

#### **Use**

Utilizing the site for mixed-use development including 30 apartments would provide additional opportunities for housing. The addition of the mixed-use development will promote visibility in the neighborhood. There will be an on-site management service that will maintain the building and its grounds and therefore will help preserve the characteristics of this neighborhood. Adjacent uses include single and two-family dwellings, multiple-family dwellings, commercial uses located along Lake Street and the 29<sup>th</sup> Street Midtown Greenway directly to the north. The mixed-use development should not negatively impact the adjacent uses.

#### **Character**

The proposed height (3 stories) of the development will be compatible with the varying heights of the surrounding buildings. The applicant proposes the use of building materials and colors that are also compatible with the surrounding building.

#### **Parking and Access**

The parking requirement for this development is 39 spaces. Residential uses in the OR2 zoning district need to provide ninety percent of the total number of dwelling units, or 27 in this case. The applicant is providing a total of 31 parking spaces below the building. All 31 of the parking spaces will be designated for the residential component of the development. The level of below-grade parking is accessed via a driveway off of East 29<sup>th</sup> Street.

### **3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

### **4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

All of the required parking for the 30 dwelling units are being provided on-site. Access to the below-grade parking level is via a curb-cut off of East 29<sup>th</sup> Street.

### **5. Is consistent with the applicable policies of the comprehensive plan.**

This site is located in a low-density residential area. In addition to the previously noted policies, the following apply:

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In the Marketplaces: Neighborhoods chapter found in the *Minneapolis Plan*, Policy 4.1 states that “Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods.”

In the Marketplaces: Neighborhoods chapter found in *The Minneapolis Plan*, Policy 4.17 states that “Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing sites throughout the city.” One of the implementation steps for this policy states that the city should “concentrate new housing developments in close proximity to amenities.”

In the City Form chapter found in the Minneapolis Plan, Policy 9.27 states that “Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets. One of the implementation steps for this policy states that the city should “promote more intensive residential development along these corridors where appropriate.”

This proposal is consistent with the comprehensive plan.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.**

With the approval of the rezoning, the two conditional use permits, the two setback variances, the parking variance and the site plan review this development will be in conformance with the applicable regulations of the zoning code.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow 30 dwelling units as part of a mixed-use development located at 2901, 05, 09, 13, 17, 19, 27 Bloomington Avenue South subject to the following conditions:

1. There shall be no more than thirty dwelling units in the building.

### **CONDITIONAL USE PERMIT – to allow 2 neighborhood serving retail sales and services uses as part of a mixed-use development**

#### **Findings as Required by the Minneapolis Zoning Code:**

The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

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### **1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.**

The proposed development would add a mixed-use development including two neighborhood serving retail sales and service uses to a site that is currently occupied with housing that has been deemed unsuitable and is in the process of being demolished. Two neighborhood serving retail sales and service uses should not be detrimental to the public health, safety and general welfare in this medium-density zoning district.

### **2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

#### **Use**

Utilizing the site for mixed-use development including two neighborhood serving retail sales and service uses would provide additional commercial opportunities. The addition of the mixed-use development will promote visibility in the neighborhood. There will be an on-site management service that will maintain the building and its grounds and therefore will help preserve the characteristics of this neighborhood. Adjacent uses include single and two-family dwellings, multiple-family dwellings, commercial uses located along Lake Street and the 29<sup>th</sup> Street Midtown Greenway directly to the north. The mixed-use development should not negatively impact the adjacent uses.

#### **Character**

The proposed height (3 stories) of the development will be compatible with the varying heights of the surrounding buildings. The applicant proposes the use of building materials and colors that are also compatible with the surrounding building.

#### **Parking and Access**

The parking requirement for this development is 39 spaces. Neighborhood serving retail sales and service uses need to provide a minimum of four spaces per use, or eight in this case. The applicant is asking for a variance to reduce the number of on-site parking spaces for the two neighborhood serving retail sales and services uses to zero. The goal of having retail sales and service uses in larger buildings is to attract customers from the building itself or from the immediate area so customers do not have to drive to the location causing traffic problems for the neighborhood.

### **3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The applicant will be working closely with the Public Works Department, the Plan Review Section of the Inspections Department and the various utility companies during the duration of the development to ensure that all procedures are followed in order to comply with city and other applicable requirements.

### **4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

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The goal of having retail sales and service uses in larger buildings is to attract customers from the building itself or from the immediate area so customers do not have to drive to the location causing traffic problems for the neighborhood.

### **5. Is consistent with the applicable policies of the comprehensive plan.**

This site is located in a low-density residential area. In addition to the previously noted policies, the following apply:

In the Marketplaces: Neighborhoods chapter found in the *Minneapolis Plan*, Policy 4.1 states that “Minneapolis will encourage reinvestment along major urban corridors as a way of promoting growth in all neighborhoods.”

In the City Form chapter found in the *Minneapolis Plan*, Policy 9.27 states that “Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets. One of the implementation steps for this policy states that the city should “direct development of commercial intersections toward uses serving immediate neighborhood needs.”

### **6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.**

With the approval of the rezoning, the two conditional use permits, the two setback variances, the parking variance and the site plan review this development will be in conformance with the applicable regulations of the zoning code.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to allow two neighborhood serving retail sales and service uses as part of a mixed-use development located at 2901, 05, 09, 13, 17, 19, 27 Bloomington Avenue South subject to the following conditions:

1. There shall be no more than two neighborhood serving retail sales and service uses Located within the development.
2. The types of uses that can be located in the two designated neighborhood serving retail sales and service spaces shall be subject to the provisions of section 547.30 (f)(1).

### **VARIANCE - to reduce the front yard setback along Bloomington Avenue South from the required 15 feet to 5 feet**

### **Findings as Required by the Minneapolis Zoning Code for the Variance:**



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- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Front yard setback:** The applicant is seeking a variance to reduce the front yard setback along Bloomington Avenue South from the required 15 feet to 5 feet. The applicant has indicated that in order to provide as many parking spaces below the building as possible that that building needs to be located closer to Bloomington Avenue than the required 15 feet. In addition, the applicant is proposing to have a child care center and two additional retail sales and service uses located on the ground floor of the building that will benefit from being located closer to the property line and will also promote eyes on the street which will benefit the surrounding neighborhood. And, by locating the building closer to the property line means that there is more outdoor space for the residents of the development to enjoy.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Front yard setback:** The need to fit as many parking spaces as possible below the building is a unique physical characteristic of this site. It is also desirable to locate uses close to property lines in order to provide eyes on the street.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Front yard setback:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance as the setback of the other two buildings on Bloomington Avenue are located at the property lines as are the commercial buildings located along Lake Street. In addition, the buildings that the applicant is proposing to construct along Bloomington Avenue are proposed to be built up to the property line.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Front yard setback:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed setback reduction be detrimental to welfare or public safety.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the front yard setback along Bloomington Avenue South from the required 15 feet to 5 feet.

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**VARIANCE - to reduce the corner side yard setback along East 29<sup>th</sup> Street from the required 12 feet to 3 feet**

**Findings as Required by the Minneapolis Zoning Code for the Variance:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Corner side yard setback:** The applicant is seeking a variance to reduce the corner side yard setback along East 29<sup>th</sup> Street from the required 12 feet to 3 feet. The applicant has indicated that in order to provide as many parking spaces below the building as possible that that building needs to be located closer to East 29<sup>th</sup> Street than the required 12 feet. In addition, the applicant is proposing to have retail sales and service uses located on the ground floor of the building that will benefit from being located closer to the property line and will also promote eyes on the street and in this case the 29<sup>th</sup> Street Midtown Greenway which will benefit the surrounding neighborhood.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Corner side yard setback:** The need to fit as many parking spaces as possible below the building is a unique physical characteristic of this site. It is also desirable to locate uses close to property lines in order to provide eyes on the street.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Corner side yard setback:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance as the building will be located approximately one hundred feet away from the adjacent residential building to the east and should have no direct impact on it.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

**Corner side yard setback:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed setback reduction be detrimental to welfare or public safety.

**RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

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The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the corner side yard setback along East 29<sup>th</sup> Street from the required 12 feet to 3 feet.

### **VARIANCE - to reduce the required number of off-street parking spaces for a mixed-use development from 39 to 31**

#### **Findings as Required by the Minneapolis Zoning Code for the Variance:**

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Parking reduction:** The applicant is seeking a variance to reduce the required number of off-street parking spaces for a mixed-use development from 39 to 31. The applicant has indicated that the goal of having retail sales and service uses in larger buildings is to attract customers from the building itself or from the immediate area so customers do not have to drive to the location causing traffic problems for the neighborhood. The applicant is also going to be providing two short-term parking spaces along Bloomington Avenue for those utilizing the child care facility or the two neighborhood serving retail sales and service uses.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Parking reduction:** In addition, providing two short-term parking spaces on the street is desirable for the types of commercial uses going into this building.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

**Parking reduction:** Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance. The applicant is also going to be providing two short-term parking spaces along Bloomington Avenue for those utilizing the child care facility or the two neighborhood serving retail sales and service uses to ensure that the parking spaces on the street turn over quickly. In addition, as part of a later phase of the master plan for this block the applicant is going to be constructing a parking lot that will be for all uses of the block.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

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**Parking reduction:** Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the proposed development be detrimental to welfare or public safety.

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the findings above and **approve** the variance to reduce the required number of off-street parking spaces for a mixed-use development from 39 to 31 subject to the following conditions:

1. The applicant shall provide two short-term parking spaces along Bloomington Avenue.

### **SITE PLAN REVIEW**

#### **Findings as Required by the Minneapolis Zoning Code:**

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review.  
(See Section A Below for Evaluation.)
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan. (See Section B Below for Evaluation.)
- C. The site plan is consistent with applicable development plans or development objectives adopted by the city council. (See Section C Below for Evaluation.)

#### **Section A: Conformance with Chapter 530 of Zoning Code**

##### **BUILDING PLACEMENT AND FAÇADE**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building façade shall provide architectural detail and shall contain windows at the ground level or first floor.
- In larger buildings, architectural elements shall be emphasized.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.
- Entrances and windows:
- Residential uses shall be subject to section 530.110 (b) (1).

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- **Nonresidential uses shall be subject to section 530.110 (b) (2).**
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the façade and that vehicles are screened from view. At least thirty (30) percent of the first floor façade that faces a public street or sidewalk shall be occupied by commercial uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

### **PLANNING DEPARTMENT RESPONSE**

- This development reinforces the street wall, maximizes natural surveillance and facilitates pedestrian access. The building is set close to the property lines, there are entrances and exits at street level that can be accessed by residents, guests and customers and there are large windows that people can see into and out of along all levels of the building.
- This development is located in the OR2 zoning district. The setback off of Bloomington Avenue South is 15 feet. The applicant is asking for a variance to reduce this setback to between 5 feet. The setback off of East 29<sup>th</sup> Street is 12 feet. The applicant is asking for a variance to reduce this setback 3 feet.
- The applicant is proposing to have landscaping between the building and the Bloomington Avenue South and East 29<sup>th</sup> Street property lines (please see the attached landscaping plan).
- There are individual principal entrances for the child care center, the two neighborhood serving retail sales and service uses and the residential component along Bloomington Avenue South (please see the attached building elevations). These entrances are located 5 feet from the property line. There is also a principal entrance off of East 29<sup>th</sup> Street that leads to one of the neighborhood serving retail sales and service uses (please see the attached building elevations). This entrance is located 3 feet from the property line.
- All of the required parking for the residential component of this building is located in one level of enclosed parking below the building. The parking requirement for the residential component of the building is 27. There are 31 parking spaces being provided, however all 31 parking spaces will be for the residents. The applicant is seeking a variance to reduce the parking requirement for the commercial uses within the building.
- This development is proposed to be a three-story building. The exterior materials being used on the building include utility brick, rock-face masonry and vinyl siding. There are entrances and exists at street level and there are large windows on all levels of the building.
- The walls of the building have been broken up into smaller sections through the use of a tower element on the corner of the building, varying rooflines, balconies and different exterior materials.
- The sides and back of the building are compatible with the front of the building.
- Plain face block will not be visible from the street.
- The percentage of windows required for the first floor of the two sides of the building that face a public street is 30 percent.
- According to the submitted drawings, the amount of windows provided on the Bloomington Avenue South side of the building meets the thirty percent requirement. However, the amount of windows provided on the East 29<sup>th</sup> Street side of the building does not meet the thirty percent requirement. Staff is recommending that there be more windows added to the East 29<sup>th</sup> Street side of the building so as to equal thirty percent.
- The parking requirement for the development is 39 parking spaces. The applicant is providing a total of 31 parking stalls in one level of enclosed parking below the building. The parking area is

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accessed off of East 29<sup>th</sup> Street.

### **ACCESS AND CIRCULATION**

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.140 (b).
- Areas for snow storage shall be provided unless an acceptable snow removal plan is provided.
- Site plans shall minimize the use of impervious surfaces.

### **PLANNING DEPARTMENT RESPONSE**

- The development conforms to the sidewalk requirements of the zoning code. The individual walkways leading to the various entrances are shown as being eight feet wide on the site plan. These are wider than the Zoning Code allows. Staff is recommending that the individual walkways be no wider than six feet.
- There are no bus stops being proposed as part of this development.
- The development conforms with the zoning code and with the requirements of the Public Works Department in regard to vehicular access and circulation.
- The parking requirement for the development is 39 parking spaces. The applicant is providing a total of 31 parking stalls in one level of enclosed parking below the building. The parking area is accessed off of East 29<sup>th</sup> Street.
- According to the applicant, once the project is complete approximately 21 percent of the site will be landscaped (please see the attached landscaping plan).

### **LANDSCAPING AND SCREENING**

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
- Not less than twenty (20) percent of the site not occupied by buildings shall be landscaped as specified in section 530.150 (a).
- Where a landscaped yard is required, such requirement shall be landscaped as specified in section 530.150 (b).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
  - A decorative fence.
  - A masonry wall.
  - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.160 (b).

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- **Parking and loading facilities abutting a residence or office residence district or abutting a permitted or conditional residential use shall comply with section 530.160 (c).**
- **The corners of parking lots shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.**
- **Parking lots containing more than two hundred (200) parking spaces: an additional landscaped area not less than one hundred-fifty (150) square feet shall be provided for each twenty-five (25) parking spaces or fraction thereof, and shall be landscaped as specified for a required landscaped yard.**
- **All parking lots and driveways shall be defined by a six (6) inch by six (6) inch continuous concrete curb positioned two (2) feet from the boundary of the parking lot, except where the parking lot perimeter is designed to provide on-site retention and filtration of stormwater. In such case the use of wheel stops or discontinuous curbing is permissible. The two (2) feet between the face of the curb and any parking lot boundary shall not be landscaped with plant material, but instead shall be covered with mulch or rock, or be paved.**
- **All other areas not governed by sections 530.150, 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.220.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.60, as provided in section 530.230.**

### **PLANNING DEPARTMENT RESPONSE**

- According to the applicant, once the project is complete approximately 21 percent of the site will be landscaped (please see the attached landscaping plan). The city's landscaping consultant has reviewed and approved the landscaping plan.
- The applicant is proposing to install a 4-foot high vinyl chain link fence around the outdoor play area for the child care center. The applicant is also considering installing a fence around the back portion of the site.

### **ADDITIONAL STANDARDS**

- **Lighting shall comply with the requirements of Chapter 535 and Chapter 541. A lighting diagram may be required.**
- **Parking and loading facilities and all other areas upon which vehicles may be located shall be screened to avoid headlights shining onto residential properties.**
- **Site plans shall minimize the blocking of views of important elements of the city.**
- **Buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **Buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260.**
- **Site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant**

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**features of historic buildings.**

### **PLANNING DEPARTMENT RESPONSE**

- A lighting plan was not submitted as part of this development.
- The parking requirement for the development is 39 parking spaces. The applicant is providing a total of 31 parking stalls in one level of enclosed parking below the building. The parking area is accessed off of East 29<sup>th</sup> Street.
- The development should not block views of important elements within the city.
- The development should have minimal light and air effects on the surrounding area.
- This development should have minimal wind effects on the surrounding area.
- The Crime Prevention Specialist has reviewed the project in regards to crime prevention design elements. To ensure the welfare of the residents of the development and the residents of the area the Crime Prevention Specialist asked that there be lights installed near all building entrances and exits and near the below-ground parking entrance and that the applicant consider installing a fence around the back portion of the site.
- This site is neither historic nor located in a historic district. However, it should be noted that this site is located across the street from the Steven's Square Historic District.

### **Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan**

#### **ZONING CODE**

The maximum size allowed for neighborhood serving retail sales and service use signs is thirty square feet. The signs shown on the elevations are east 36 square feet. Staff is recommending that signs for the neighborhood serving retail sales and service uses be no larger than thirty square feet.

#### **THE MINNEAPOLIS PLAN**

This site is located in a low-density residential area. In addition to the previously noted policies, the following apply:

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.5 states that “Minneapolis will support the development of residential dwellings of appropriate form and density.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.8 states that “Minneapolis will maintain and strengthen the character of the city’s various residential areas.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.10 states that “Minneapolis will support efforts that recognize both the increased visibility and importance of corner properties and the role of gateways in enhancing traditional neighborhood character.”

In the City Form chapter found in *The Minneapolis Plan*, Policy 9.16 states that “Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.”



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In the City Form chapter found in *The Minneapolis Plan*, Policy 9.17 states that “Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.”

This proposal is consistent with the comprehensive plan.

### **Section C: Conformance with Applicable Development Plans or Objectives Adopted by the City Council**

There are no small area plans adopted by the Minneapolis City Council for this particular location.

The Lake Street Midtown Greenway plan, which has not been adopted by the Minneapolis City Council, indicates that there are a number in-fill housing sites located along the south side of East 29<sup>th</sup> Street. The plan also says that mixed-use development with commercial or office uses on the ground floor should be encouraged.

This development does meet the objectives of the Lake Street Midtown Greenway plan.

### **ALTERNATIVE COMPLIANCE**

**The Planning Commission may approve alternatives to any major site plan review requirement upon finding any of the following:**

- **The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.**
- **Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.**
- **The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.**

### **PLANNING DEPARTMENT RESPONSE**

- **Alternative compliance is not warranted for this site.**

### **RECOMMENDATION OF THE CITY PLANNING DEPARTMENT:**

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the site plan review application for the mixed-use building including 30 apartments, a child care center and two neighborhood serving retail sales and services uses with one level of below-ground parking located at 2901, 05, 09, 13, 17, 19, 27 Bloomington Avenue South subject to the following conditions:

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1. The Planning Department shall approve the final site, elevation and landscaping plans.
2. The Planning Department shall approve the final lighting plan.
3. The applicant is encouraged to use hardi-plank siding instead of vinyl siding.
4. The amount of windows provided on the East 29<sup>th</sup> Street side of the building shall be increased so as to equal thirty percent
5. The individual walkways leading to the various entrances shall be no wider than six feet.
6. The signs for the neighborhood serving retail sales and service uses shall be no larger than thirty square feet.
7. The applicant shall obtain an encroachment permit from the Public Works Department for any work done in the right-of-way.
8. All site improvements shall be completed by April 1, 2004, or the permit may be revoked for non-compliance.
8. The applicant shall submit a performance bond in the amount of 125% of the estimated site improvement costs before building permits are issued, or the permit may be revoked for non-compliance.